

PUBLIC NOTICE



US Army Corps
of Engineers
Kansas City District

Permit No. 200502620
Issue Date: September 21, 2005
Expiration Date: October 21, 2005

30-Day Notice

JOINT PUBLIC NOTICE: This public notice is issued jointly with the Missouri Department of Natural Resources, Water Pollution Control Program. The Department of Natural Resources will use the comments to this notice in deciding whether to grant Section 401 water quality certification. Commenters are requested to furnish a copy of their comments to the Missouri Department of Natural Resources, P.O. Box 176, Jefferson City, MO 65102.

APPLICANT: Kansas City District
Corps of Engineers
700 Federal Building
Kansas City, Missouri 64106-2896

PROJECT Missouri Department of Conservation
PARTNER: 2901 West Truman Blvd. P.O. Box 180
Jefferson City, Missouri 65102-0180

PROJECT LOCATION (As shown on the attached drawings): The proposed project is located along the left descending bank of the Missouri River, approximately 0.5 miles south of the village of McBaine, Missouri. It is in Sections 1 and 12, Township 47 North, Range 14 West, and in Sections 6 and 7, Township 47 North, Range 13 West in Boone County, Missouri.

AUTHORITY: The Missouri River Bank Stabilization and Navigation Fish and Wildlife Mitigation Project as authorized in the Water Resources Development Acts of 1986 and 1999 (Public Law 99-662) and Section 404 of the Clean Water Act (33 USC 1344).

ACTIVITY (As shown on the attached drawings): **PROPOSED WORK:** The applicant proposes to develop fish and wildlife habitat at the Eagle Bluffs – McBaine Wetlands Site, owned by the Missouri Department of Conservation, as part of the Mitigation Program for the Bank Stabilization and Navigation Project for the Missouri River. Habitat development activities would include reestablishing terrestrial, wetland, and prairie habitats. The following is a detailed description of the proposed work:

The proposed project area is currently made up of approximately 230 acres of farmland and various wetland habitats as described later under the section entitled WETLANDS. The proposed project consists of the construction of approximately 8,900 lineal feet of low-level berm with a 10-foot graveled crest and a one-foot vertical on five-foot horizontal slope. This configuration would create two separately manageable wetland cells of approximately 90-acres each. A well and pump will be constructed in the berm at the north side of the project, and will be designed to

provide approximately 1,000 gallons per minute of water to inundate the site. An Agri-drain type PVC stop log structure will be installed in the berm separating the two wetland cells, thus allowing transfer of water between the two cells for easier management. The average depths of the two individual cells would be designed to not exceed 18 inches of water. The wetland cells would also be designed with a non-uniform floor to create diversity in water volumes and habitat. The side slopes of each cell would be planted predominately with switch grass but would also include a variety of other native seeds for greater plant diversity. A road atop the perimeter berm would provide access for the public.

The proposed berm alignment excludes an existing drainage ditch that carries stormwater from the village of McBaine to an existing 56-inch outlet structure at the southeast corner of the project site. It also omits an area just east of the ditch, as well as an area at low elevation along Perche Creek in the southeast portion of the project site. These areas will be used for borrow to construct the low level berms, and will not be extensively managed so as to provide an area with more permanent standing water to increase habitat diversity. Additional borrow sites will be designated within the cell interiors to minimize hauling of material and maximize floor diversity.

Two pre-cast concrete water control structures will regulate the flow of impounded water out of the two-wetland cells and towards the existing 56-inch screw gate outlet. Along the west and south border of the project site where water will be impounded against an existing agricultural levee used to provide protection against high water on Perche Creek, a one-foot vertical on five-foot horizontal slope will be added to the top pool elevation of 573.5 from the existing ground surface. This will help ensure the water holding capability of the levee.

A preliminary determination has been made that the proposed work would be authorized by Nationwide Permit No. 27, Stream and Wetland Restoration Activities.

WETLANDS: Approximately 21 acres of Inland Forested Wetlands and 14 acres of shrub/scrub wetlands currently exist near the proposed project site. Creating the individual wetland cells will require low-level berm construction, which will impact approximately 0.77 acres of existing farmed wetlands. The completed project will more than offset these impacts so further mitigation will not be required.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) OF 1968, as amended: The Corps has made a preliminary determination that the proposed project would not result in significant degradation of the human environment and therefore the proposed project would support a Finding of No Significant Impact (FONSI). The Corps will utilize comments received in response to this Public Notice to complete our evaluation of the project for compliance with the requirements of NEPA, and other Federal, state, and local regulations, including this review for project compliance with the requirements of Section 404 of the Clean Water Act. The Corps has made a preliminary determination that the project as proposed would not be contrary to the public interest and is in compliance with the Section 404(b)(1) Guidelines.

DRAWINGS: The attached drawings provide location details of the proposed project.

PROPERTY ADJACENT TO PROJECT AREA: A list of property owners adjacent to the proposed project area has been provided to the Corps, and these individuals will be notified directly to inform them of the project and to request their comments.

CULTURAL RESOURCES: The proposed project has been reviewed in compliance with the National Historic Preservation Act of 1966 (Public Law 89-665) including a check of the National Register of Historic Places (NRHP), district records and maps, and records from the State Historic Preservation Office. No NRHP properties or other archeological sites or historic structures have been recorded within the proposed project area. The Kansas City District Archeologist surveyed the proposed project area in June 2005. No historic properties were found within the project area. No further work was recommended in a letter to the SHPO dated July 12, 2005. SHPO concurred with this recommendation in a letter dated July 22, 2005. Coordination with affiliated Native American tribes is initiated with this public notice.

ENDANGERED SPECIES: In compliance with the Endangered Species Act, a preliminary determination has been made that the proposed work will not adversely affect species designated as threatened or endangered or adversely modify or destroy critical habitat. In order to complete our evaluation of this activity, comments are solicited from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

FLOODPLAINS: This activity is being reviewed in accordance with Executive Order 11988, Floodplain Management, which discourages direct or indirect support of floodplain development whenever there is a practicable alternative. By this public notice, comments are requested from individuals and agencies that believe the described work will adversely impact the floodplain.

WATER QUALITY CERTIFICATION: Section 401 of the Clean Water Act (33 USC 1341) requires that all discharges of dredged or fill material must be certified by the appropriate state agency as complying with applicable effluent limitations and water quality standards. This public notice serves as an application to the state in which the discharge site is located for certification of the discharge. The discharge must be certified before Department of the Army authorization can be issued. Certification, if issued, expresses the state's opinion that the discharge will not violate applicable water quality standards.

PUBLIC INTEREST REVIEW: The decision to issue authorization will be based on an evaluation of the probable impact including the cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, esthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency under

authority of Section 404(b) of the Clean Water Act (33 USC 1344). The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny an authorization for this proposal. To make this decision, comments are used to address impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COMMENTS: This notice is provided to outline details of the above-described activity so this District may consider all pertinent comments prior to determining if issuance of an authorization would be in the public interest. Any interested party is invited to submit to this office written facts or objections relative to the activity on or before the public notice expiration date. Comments both favorable and unfavorable will be accepted and made a part of the record and will receive full consideration in determining whether it would be in the public interest to issue the Department of the Army authorization. Copies of all comments, including names and addresses of commenters, may be provided to the applicant. Comments should be mailed to the address shown below.

PUBLIC HEARING: Any person may request, in writing, prior to the expiration date of this public notice, that a public hearing be held to consider this application. Such requests shall state, with particularity, the reasons for holding a public hearing.

ADDITIONAL INFORMATION: Additional information about this application may be obtained by contacting Mr. Matthew Vandenberg or Mr. David Hibbs, U.S. Army Corps of Engineers, Environmental Resources Section, 601 East 12th Street, Room 843, Kansas City, Missouri 64106, at telephone 816-983-(3146 or 3136 respectively), (FAX 816-426-2142) or via email at matthew.d.vandenberg@usace.army.mil or david.r.hibbs@usace.army.mil. All comments to this public notice should be directed to the above address.

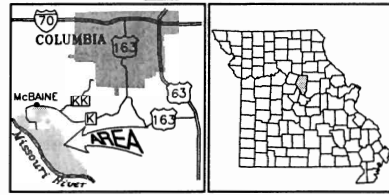
PRELIMINARY SECTION 404(b)(1) EVALUATION REPORT
PUBLIC NOTICE NO. 200502620

	YES	POTENTIAL EFFECTS	NO
I. Physical Effects A. Potential destruction of wetlands..... B. Impact on water column..... C. Covering of benthic communities.....		X X	X
II. Chemical-Biological Interactive Effects A. Adverse effect of chemical constituents on water column..... B. Adverse effect of chemical constituents on benthos			X X
III. Applicable Water Quality Standards A. Will activity be in conformance with applicable standards?.....	X		
IV. Selection of Disposal Sites A. Impacts of fill material on chemical, physical, and biological integrity of aquatic ecosystem..... B. Have the needs for the proposed activity been considered?..... C. Have alternatives been considered?..... D. Impacts on water uses at the proposed disposal site E. Have mitigation measures to minimize harmful effects been considered?.....	X X X		X X
V. Contamination of Fill Material A. Contamination of fill material if from a land source.....			X
VI. Mixing Zone A. Have mixing zone determinations been established for each disposal site?.....			X
VII. Impacts to Navigation A. Impairment to maintenance of navigation. B. Economic impact on navigation and anchorage.....			X X
VIII. Public Participation and Coordination A. Will a public interest review be conducted?.....	X		

EAGLE BLUFFS CONSERVATION AREA

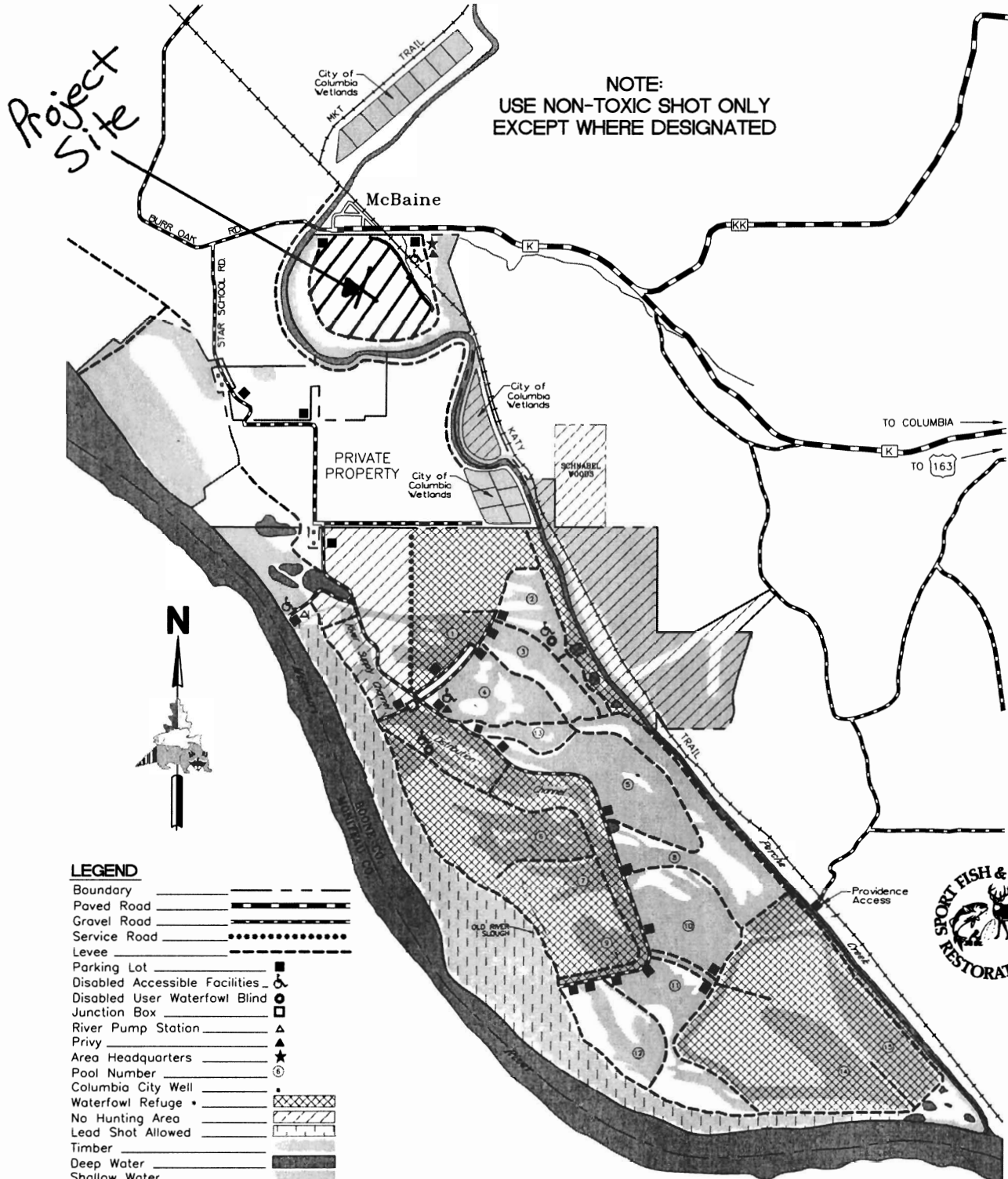
BOONE COUNTY
4286 ACRES

VICINITY MAP



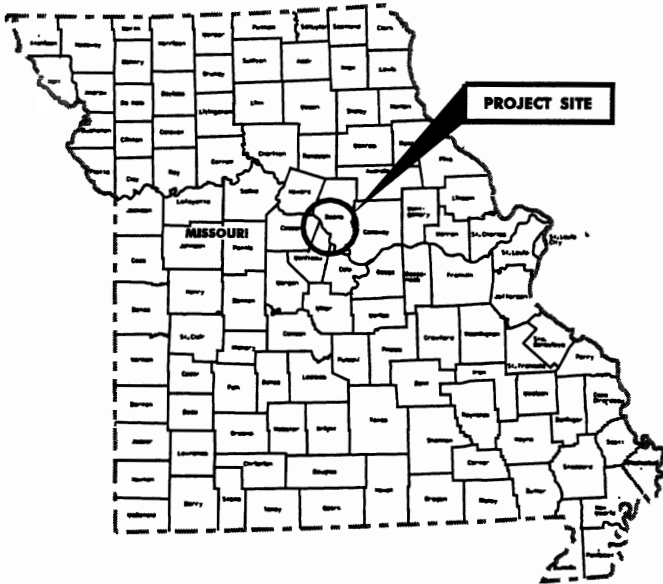
SCALE

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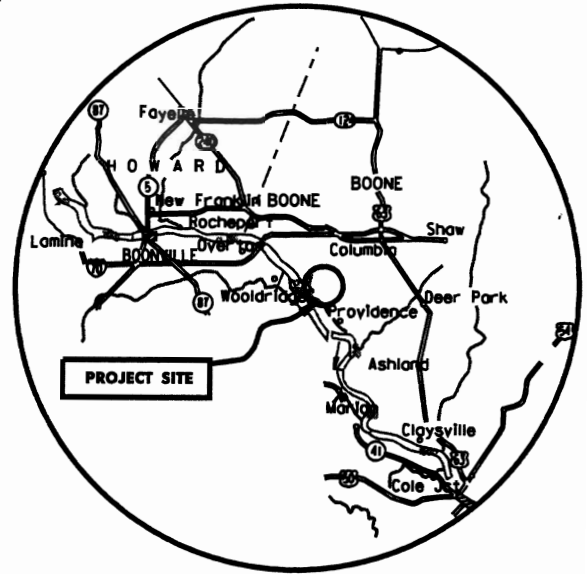


APPLICATION NO. 200502620
KANSAS CITY DISTRICT,
CORPS OF ENGINEERS
FISH AND WILDLIFE HABITAT
MISSOURI RIVER
BOONE COUNTY, MISSOURI
SHEET 1 OF 2

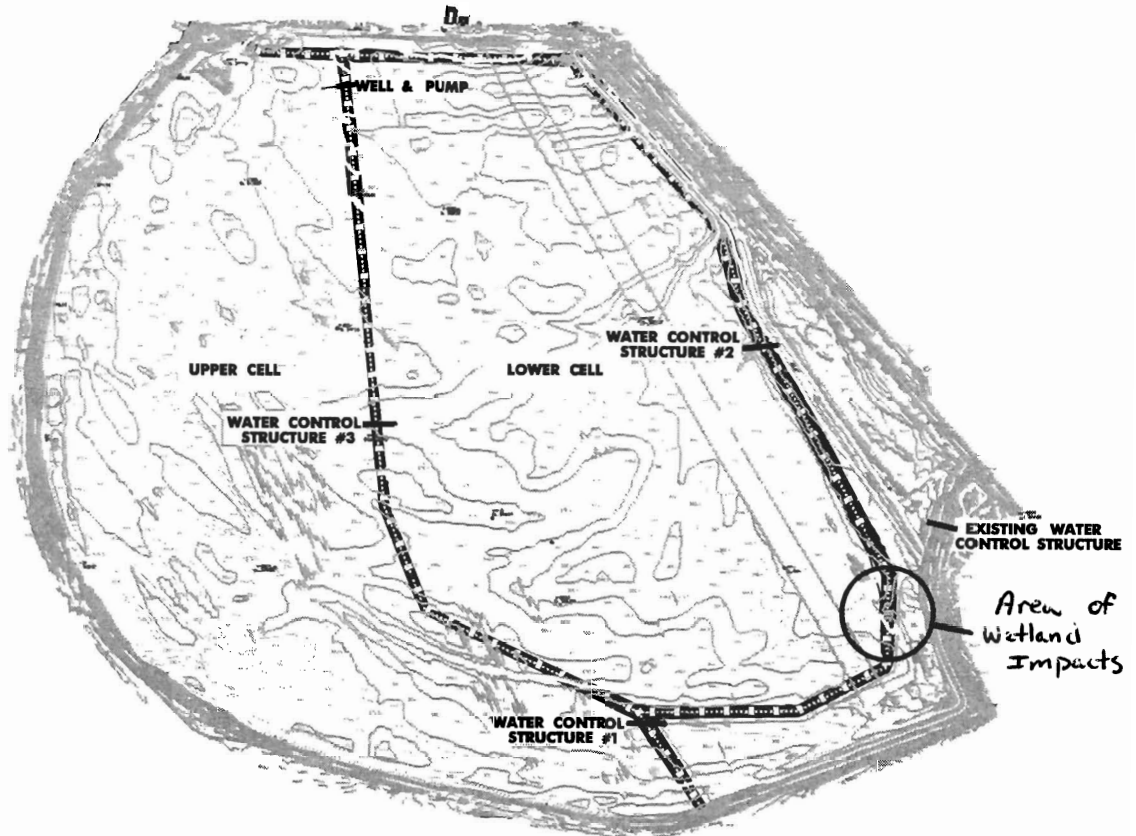
**MCBAINE WETLAND
BOONE COUNTY, MO**



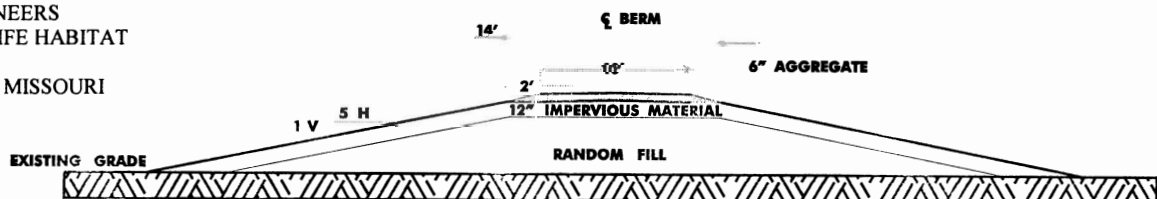
**LOCATION MAP
NOT TO SCALE**



**VICINITY MAP
NOT TO SCALE**



**SITE LAYOUT
NOT TO SCALE**



**BERM TYPICAL SECTION
NOT TO SCALE**